

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 31 - SB 157

February 16, 2015

**SUMMARY OF ORIGINAL BILL:** Deletes the Intractable Pain Treatment Act (IPTA) which authorized the use of opiate-based regimens of treatment of intractable pain, or pain in which the cause cannot be removed in the generally accepted course of medical practice from statute. Requires, within 180 days of this bill's enactment on July 1, 2015, the Board of Medical Examiners to repeal any rules promulgated as a result of the IPTA.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (003416):** In addition to the Board of Medical Examiners, requires the Board of Osteopathic Examination and the Board of Nursing to repeal any rules promulgated as a result of the IPTA.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The IPTA was enacted by Public Chapter 327 of 2001. Removing this act will have no significant fiscal impact on the Department of Health or any health related board.
- Any fiscal impact resulting from the repeal of rules promulgated pursuant to the IPTA will not be significant.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-sufficient over a two-year period.
- The Board of Medical Examiners had an annual surplus of \$288,380 in FY12-13, an annual deficit of \$75,431 in FY13-14, and a cumulative reserve balance of \$2,365,965 on June 30, 2014.
- The Board of Osteopathic Examination had an annual surplus of \$101,696 in FY12-13, an annual surplus of \$94,728 in FY13-14, and a cumulative reserve balance of \$541,628 on June 30, 2014.

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- The Board of Nursing had an annual surplus of \$1,823,653 in FY12-13, an annual surplus of \$1,168,922 in FY13-14, and a cumulative reserve balance of \$6,271,166 on June 30, 2014.
- It is assumed that the deletion of the IPTA will not have an impact on public health plans administered by the Department of Finance and Administration, Division of Benefits Administration or the Bureau of TennCare.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, appearing to read "Jeffrey L. Spalding". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Spalding" clearly distinguishable.

Jeffrey L. Spalding, Executive Director

/jdb